First Nations Water Rights in British Columbia

A Historical Summary of the rights of the Doig River First Nation

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WATER MANAGEMENT BRANCH

FIRST NATIONS WATER RIGHTS IN BRITISH COLUMBIA:

A Historical Summary of the rights of the Doig River First Nation

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Gary Robinson
Project Manager
Water Management Branch

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FIRST NATIONS WATER RIGHTS REPORT

BAND: Doig River Band

ADDRESS: P.O. Box 55, Rose Prairie, B.C., V0C 2H0

CHIEF: Chief Gerry Attachie

PHONE: 787-4466 **FAX:** N/A

AFFILIATION: Treaty 8 Tribal Association

LOCATION:

The Doig River First Nation occupies three reserve, northeast of the town of Fort St. John near the community of Rose Prarie. The reserves range in size from 357.3 to 990.3 hectares and occupy a total land area of 1,347.6 hectares. The reserves include:

- Doig River 206; and
- North Parcel of Beaton River 204.

Of the Doig River reserves, water rights have been allocated on:

- **Doig River 206**: a 990.3 hectare reserve located northeast of the town of Fort St. John.

The most recent population figures compiled by the Ministry of Finance report that the Doig River First Nation has a total population, including registered and non-registered members, living on- and off-reserve, of 195.

The two Doig River reserves occur in the Boreal White and Black Spruce Biogeoclimatic Zone. This zone is part of an extensive belt of boreal coniferous forest occurring across Canada. The reserves lie at elevations ranging from 2100 to 2200 feet above sea level, and experience a climate in which average daily temperatures range from lows of -20 degrees centigrade in January, to highs in the order of 20 degrees centigrade in July. Annual rainfall for the area averages between 30 and 50 centimetres.

Water courses of significance include:

- **Doig River**: flows south through Doig River Reserve No. 206, merges with Beatton River and then drains into Peace River.

WATER ALLCCATIONS:

There are no records of allocations made by either the Indian Reserve Commission, by Order-in-Council of the Lieutenant Governor in Council, or by Order of the Board of Investigation.

The water rights of the Doig River Band have been determined by two actions of government over the years:

1) The issue of water licences in response to Federal Government applications requesting authorization for the use of water on reserve lands.

2) Actions to amend, cancel or record as abandoned, licenced rights pursuant to provisions contained in the *Water Act*.

HISTORY, CURRENT STATUS AND NOTES:

The history of water rights, the current status of rights, and notes for the Doig River Band with respect to Doig River, are as follows:

Doig River:

History:

Feb 14, 1969 In accordance with an application made by the Superintendent General of Indian Affairs on behalf of the Doig River Band, the Comptroller of Water Rights issued Conditional Water Licence 34177. The licence was assigned a precedence date of May 15, 1968 and authorizes the diversion of 4,500 gallons of water per day from Doig River for domestic purpose. The appurtenant lands are defined as Doig River Reserve No. 206, Peace River District.

Current Status:

There are currently seven licences active on Doig River, one of which is held by the Doig River Band. Of these licences:

- 4 authorize the use of water for oil field injection, ranging from 1 to 1.3 cubic feet per second.
- 1 authorizes the use of 92 acre feet of water for storage non-power purpose.
- 1 authorizes the use of 4,500 gallons of water per day for domestic purpose.

- 1 authorizes the use of 8,000 gallons of water per day for dust control purpose.

Conditional Water Licence 34177, held by the Doig River Band, is fifth in priority on Doig River.

The Water Survey of Canada has no records of streamflow for Doig River. No alternative sources of current water availability data were located during the course of this study.

Notes:

1. The allotment of water under Conditional Water Licence 34177 is more than the amount that the Doig River Band applied for.

2. Under current licensing practices Conditional Water Licence 34177 would be issued for waterworks purpose. The amendment of this licence to waterworks purpose would qualify the Doig River drainage area for designation as a "Community Watershed" according to provisions contained in the Forest Practices Code.

OTHER INFORMATION:

Groundwater Records:

A review of records maintained by the MELP - Groundwater Section found that no wells have been reported on any of the Doig River reserves. However, as the provision of well information to the Groundwater Section is voluntary, this review should not be assumed to be complete.

Alternate Water Sources:

Currently, the potential for water supply from connection to a municipal water system is limited as there are no systems in reasonable proximity to any of the Doig River Reserves.

The flow of Doig River through Doig River Reserve No. 206 makes it a potential source of water for other purposes.

Summary of Water Rights Records

Doig River First Nation

Water Source	Priority Date	Reserve Name	File No.	Document Type	Status	Superceded By	Licence PUC/MOD & OIC Allotments	Comments
Doig River	1968/05/15	Doig River 206	0281069	CL 34177	Current		4,500 GAD/Domestic	CL 34177 - Volume:In excess of that originally applied for by Band. Purpose: Under current practices would be licenced for 'Waterworks' purpose; amendment as such would qualify the Doig River drainage area for designation "Community Watershed" under FPC.

WATER RESOURCES SERVICE
WATER RIGHTS BRANCH

DEPARTMENT OF LANDS, FORESTS,
AND WATER RESOURCES

THE PROVINCE OF BRITISH COLUMBIA—WATER ACT

CONDITIONAL WATER LICENCE

Superintendent General of
Indian Affairs (Fort St. John Agency) of Ottawa, Ontario

is/are hereby authorized to divert and use water as follows:—

(a) The source(s) of the water-supply is/are Doig River.

(b) The point(s) of diversion is/are located as shown on the attached plan.

(c) The date from which this licence shall have precedence is 15th May, 1968.

(d) The purpose for which the water is to be used is domestic.

(e) The maximum quantity of water which may be diverted is 4,500 gallons a day,

and such additional quantity as the Engineer may from time to time determine should be allowed for losses.

(f) The period of the year during which the water may be used is the whole year.

(g) The land upon which the water is to be used and to which this licence is appurtenant is
Doig River Indian Reserve No. 206, Peace River District.

(h) The works authorized to be constructed are pump and pipe,

and they shall be located approximately as shown on the attached plan.

(i) The construction of the said works has been completed and the water shall be beneficially used on or before the 31st day of December, 1971.

ENTERED ON
Map No. 94 A/NE (6-1)
By ... 1968

H. D. DeBeck,
Comptroller of Water Rights.

File No. 0281069 Date issued: 14 February 1969 Conditional Licence No. 34177

WATER RIGHTS BRANCH
DEPARTMENT OF LANDS, FORESTS, AND WATER RESOURCES

O R D E R

W A T E R A C T

Section 15

File No. 0281069

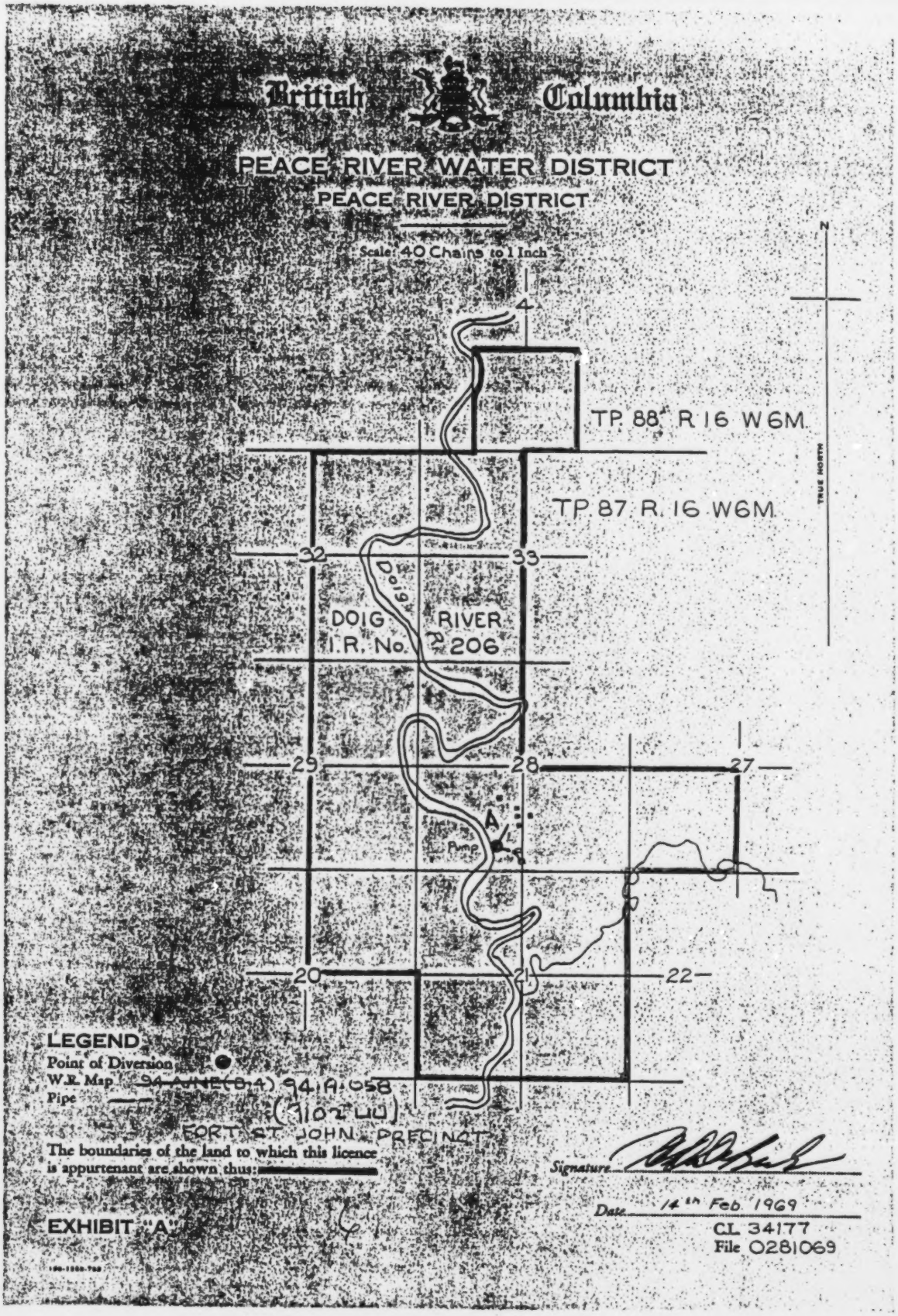
The provisions of the B. C. Water Act having been complied with and being satisfied that no person's rights will be affected, I hereby extend the time for the completion of the works and for making beneficial use of the water authorized under Conditional Water Licence No. 34177 , Doig River

to the 31st day of December, 1975.

A. K. Sutherland
Deputy Comptroller of Water Rights.

DATED at Victoria, B. C.,
this 26th day of June , 1973.

W.R.B. 42


British Columbia
PEACE RIVER WATER DISTRICT
PEACE RIVER DISTRICT
Scale: 40 Chains to 1 Inch
N
TRUE NORTH
TP. 88 R. 16 W6M.
TP. 87 R. 16 W6M.
4
32
33
DOIG RIVER
DOIG I.R. No. 206
29
28
27
20
21
22
A
Pump
LEGEND
Point of Diversion
W.R. Map 94-A/NE(8,9,4) 94 A/058
Pipe
(3102 40)
FORT ST. JOHN PRECINCT
The boundaries of the land to which this licence is appurtenant are shown thus:
EXHIBIT "A"
Signature
Date 14th Feb 1969
CL 34177
File 0281069

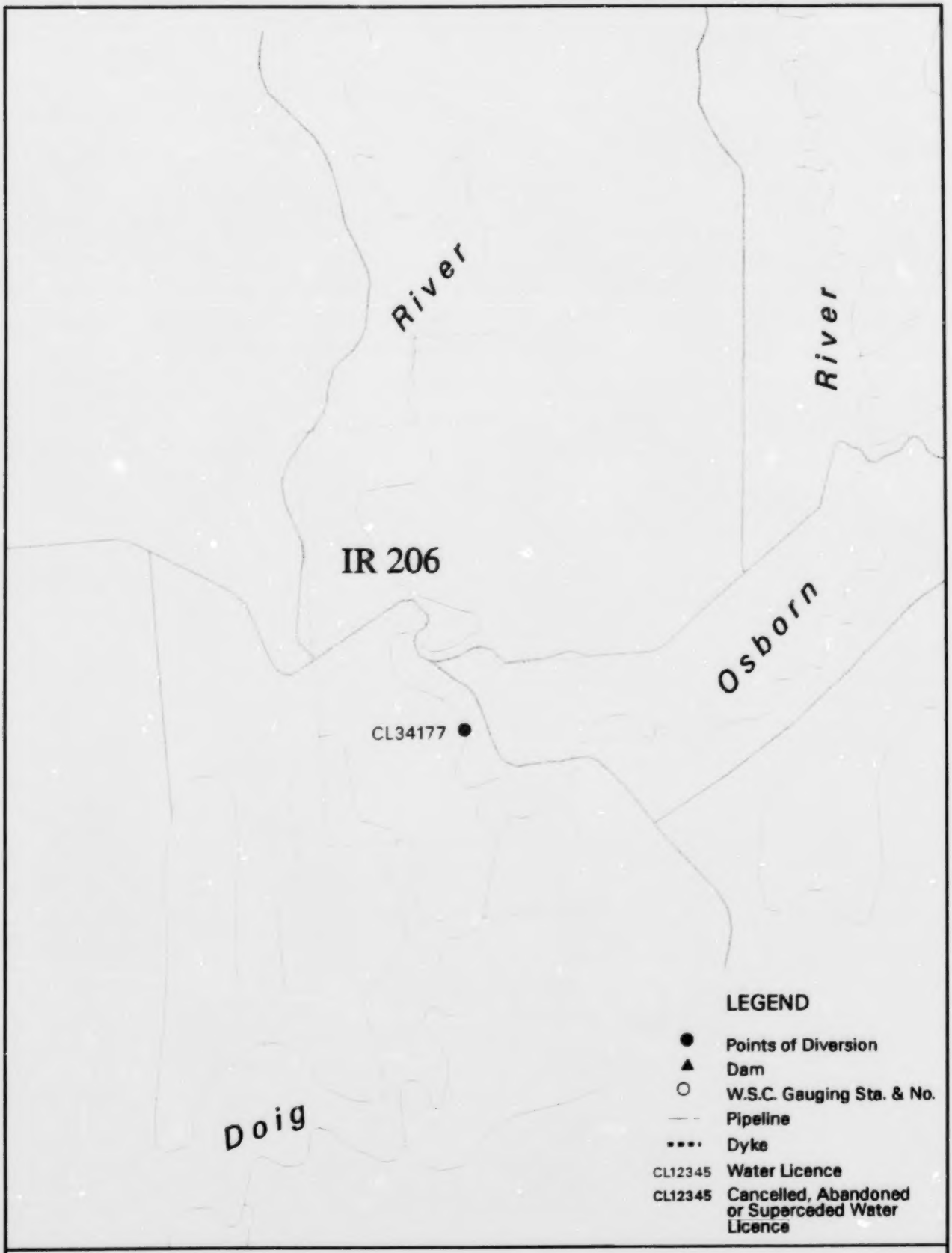
Stream Register Report Water Licence Information System

Report Requested By : CROCHA
Date Report Requested : 1996/10/17 14:50
Report Sorted By : Source Gazetted - Priority Date - Licence Number
Selection Criteria
START POINT : FD36801 - 94.A.088 A
END POINT : S03426 - Doig River left of Beatton River

Priority YYYY/MM/DD	Licence Number	File Number	Appurtenancy	Licensee	POD	Quantity/Units	Term Start	Term End	Licence Comments	Process Status
	Source		WR Map	POD RED POD Comments					Prec	
1963/09/19	C030560	0252395	PETROLEUM & NATURAL GAS LEASE 1046 PEACE R DIST	CANADIAN NATURAL RESOURCES LIMITED SUITE 2000 ESSO PLAZA 425-1ST ST SW CALGARY AB T2P3L8	OILFD	1.30 CS	Jan 01	Dec 31	OIL FIELD INJECTION	
	Doig River		WR94.A.088	A N					22B PEA - FORT ST JOHN	
1966/10/07	C032839	0270653	PEEJAY UNIT 3 PEACE R DIST	CANADIAN NATURAL RESOURCES LIMITED SUITE 2000 ESSO PLAZA 425-1ST ST SW CALGARY AB T2P3L8	OILFD	1.30 CS	Jan 01	Dec 31	OIL FIELD INJECTION	
	Doig River		WR94.A.088	A N					22B PEA - FORT ST JOHN	
1967/06/22	C033691	0273628	PETROLEUM & NATURAL GAS LEASES 3047,3500,3574,4016 4017,4127,4135,4186,4241 PEACE R DIST	CANADIAN NATURAL RESOURCES LTD SS 2 COMP 2 SITE 8 FORT ST JOHN BC V1J4M7	OILFD	1.10 CS	Jan 01	Dec 31	OIL FIELD INJECTION STOR AT C 33692 DOIG R	AMD UNDER AMENDMENT
	Doig River		WR94.A.088	A N					22B PEA - FORT ST JOHN	
1967/06/22	C033692	0273628	STOR FOR C 33691 DOIG R	CANADIAN NATURAL RESOURCES LTD SS 2 COMP 2 SITE 8 FORT ST JOHN BC V1J4M7	STONP	92.00 AF	Jan 01	Dec 31	STOR IN RIVER	AMD UNDER AMENDMENT
	Doig River		WR94.A.088	A N					22B PEA - FORT ST JOHN	
1968/05/15	C034177	0281069	DOIG R IR @206 PEACE R DIST	DOIG RIVER INDIAN BAND 975-548-6959 BOX 55 ROSE PRAIRIE BC V0C2H0	DOM	4,500.00 GD	Jan 01	Dec 31		
	Doig River		WR94.A.058	A N					22B PEA - FORT ST JOHN	

Priority YYYY/MM/DD	Licence Number	File Number	Appurtenancy	Licensee	POC	Quantity/Units	Term Start	Term End	Licence Comments	Process Status
Source			WR Map	POD RED POD Comments					Prec	
1991/04/05	C104783	7000909	DUST CONTROL PROJECT OF THE LICENSEE WITHIN HWY R/W PEACE RIVER DISTRICT	TRANSPORTATION & HIGHWAYS MINISTRY OF NORTH PEACE DISTRICT 10716 100 AVE FORT ST JOHN BC V1J1Z3	DUST	8,000.00 CD	May 01	Sep 30		
Doig River			WR94.A.058	N N					22B PEA - FORT ST JOHN	
La Guarde Creek			WR94.A.058	J N						
Siphon Creek			WR94.A.048	E N						
1996/07/09	2111254	7001273	R/W PLAN PGP 35669 ESSO PCI RIG-EL C-20-L 94-A-9	SAHEDAN OIL OF CANADA INC C/O LONGSTAFF LAND SURVEY 200-9900 100TH AVE FORT ST JOHN BC V1J5E7	OILPD	1.00 CS	Jan 01	Dec 31		APP APPLIC-CLEARED
Doig River			WR94A/NE(9-e)	N N					22B PEA - FORT ST JOHN	

---------- Total of 7 Licences Reported ----------



DOIG RIVER FIRST NATION

Scale: 1 : 50,000

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